

## 1 UNITED STATES DISTRICT COURT

## 2 DISTRICT OF NEVADA

3 RICHARD IDEN,

Case No. 2:23-cv-00464-APG-VCF

4 Plaintiff

ORDER

5 v.

6 JULIE WILLIAMS,

7 Defendant

8

9 On March 29, 2023, pro se Plaintiff Richard Iden, an inmate in the custody of the  
 10 Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. (ECF  
 11 No. 1-1). However, Plaintiff did not pay the full \$402 filing fee for this matter or file an  
 12 application to proceed *in forma pauperis*. (See ECF No. 1).

13 The United States District Court for the District of Nevada must collect filing fees  
 14 from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights  
 15 action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28  
 16 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply  
 17 to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. LSR 1-1. For an inmate  
 18 to apply for *in forma pauperis* status, the inmate must submit **all three** of the following  
 19 documents to the Court: (1) a completed **Application to Proceed *in Forma Pauperis***  
 20 **for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by  
 21 the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the  
 22 Court’s approved form, that is properly signed by both the inmate and a prison or jail  
 23 official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for**  
 24 **the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. LSR 1-2.  
 25 *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the  
 26 filing fee, it just means that the inmate can pay the fee in installments. See 28 U.S.C.  
 27 § 1915(b).

28

1 Accordingly, and for the reasons stated above,

2 It is therefore ordered that Plaintiff has **until June 12, 2023** to either pay the full  
3 \$402 filing fee or file a fully complete application to proceed *in forma pauperis* with all  
4 three required documents: a completed application with the inmate's two signatures on  
5 page 3, a completed financial certificate that is signed both by the inmate and the prison  
6 or jail official, and a copy of the inmate's trust fund account statement for the previous six-  
7 month period.

8 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
9 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
10 to refile the case with the Court, under a new case number, when Plaintiff can either file  
11 a complete application to proceed *in forma pauperis* or pay the required filing fee.

12 The Clerk of the Court is directed to send Plaintiff Richard Iden the approved form  
13 application to proceed *in forma pauperis* for an inmate and instructions for the same, and  
14 to retain the complaint and exhibits (ECF No. 1-1) but not file them at this time.

16 DATED this 11th day of April 2023.

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## UNITED STATES MAGISTRATE JUDGE